

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**LARRY DONOVAN MIMS,** )  
Petitioner, )  
vs. )  
**LEON FORNISS, Warden, and** )  
**THE ATTORNEY GENERAL OF** )  
**THE STATE OF ALABAMA,** )  
Respondents. )

Case No. CV 07-S-697-S

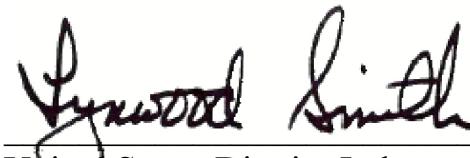
## ORDER DENYING HABEAS RELIEF

The petitioner filed his objections to the magistrate judge's report and recommendation on November 19, 2007. The magistrate judge recommended denial of *habeas* relief on the basis that the resolution of the claims by the Alabama Court of Criminal Appeals was not contrary to or an unreasonable application of clearly established Supreme Court precedent. *See* 28 U.S.C. § 2254(d).

Having now carefully reviewed and considered *de novo* all of the materials in the court file, including the report and recommendation and the objections to it, the court finds that the report is due to be and hereby is ADOPTED, and the recommendation is ACCEPTED. Accordingly, the petition for writ of *habeas corpus* is due to be, and it hereby is, DENIED, and DISMISSED WITH PREJUDICE.

The clerk is DIRECTED to mail a copy of the foregoing to the petitioner.

DONE this 28th day of November, 2007.



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Lynnwood Smith  
United States District Judge